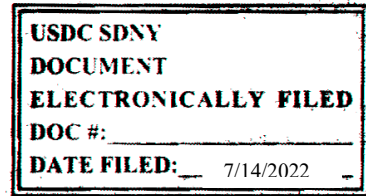


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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ROCHE CYRULNIK FREEDMAN LLP,

Plaintiff,

21-CV-01746 (JGK)(SN)

-against-

ORDER

JASON CYRULNIK,

Defendant.
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SARAH NETBURN, United States Magistrate Judge:

This order addresses the various discovery disputes raised in the parties' letters at ECF Nos. 160, 162, and 164. The Court ORDERS that:

- Plaintiff shall provide Defendant with the “parameters” it used to conduct its ESI searches. To the extent Plaintiff believes the name of any client or vendor is confidential, it shall identify that entity anonymously (e.g, “Client 1”; “Vendor 1”) and simultaneously provide the Court, *ex parte*, with a detailed explanation of why Defendant – a former partner of the firm – cannot see that information.
- Plaintiff shall provide a per day hit report for searches conducted on personal messaging apps from the period February 1-20, 2021. Upon receipt of that hit report, Defendant shall select a ten-day consecutive period for production.
- Plaintiff shall cure any “technical and other deficiencies” in their production. See ECF No. 161, note 6.
- Defendant shall provide Plaintiff with the hit report for the searches it conducted using Plaintiff’s terms.
- Defendant shall provide Plaintiff with responsive documents concerning Former Firm Clients through July 2, 2021.
- Defendant shall answer the Request for Admission regarding Engagement Letters, but Defendant does not need to answer the Request for Admission regarding Screaming.
- Plaintiff is authorized to conduct the depositions of the non-party witnesses identified in ECF No. 161. Defendant is authorized to conduct 10 depositions plus up to five


additional depositions so long as the total additional deposition time does not exceed 10 hours. The Court will not otherwise limit either party in its selection of deponents.

- The Court cannot follow the parties' dispute with respect to Defendant's Search 1-A, 1-B and 2. **Without any argument**, the parties shall jointly submit in one document (1) Defendant's proposed search terms for each group, and any compromise terms proposed by Plaintiff; (2) Defendant's proposed date range for each group, and any compromise date range proposed by Plaintiff; and (3) a hit report for each search term that reflects overall hits and the reduced hits after de-duplication. This shall be submitted to the Court by **Wednesday, July 19, 2022**.
- Fact discovery will conclude on September 30, 2022. Opening expert reports shall be served by October 28, 2022; rebuttal reports will be served by November 22, 2022; expert discovery will conclude December 23, 2022. Pre-motion letters shall be filed with the Hon. John G. Koeltl by January 13, 2023.

Unless specifically provided for otherwise, the parties shall comply with this order by

Friday, July 21, 2022.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: July 14, 2022
New York, New York